

EXHIBIT 12

Page 1

JAMS ARBITRATION

LOANDEPOT.COM, LLC,	:	
	:	
Claimant,	:	JAMS NO.
	:	
vs.	:	5410000076
	:	
SEAN JOHNSON,	:	
	:	
Respondent.	:	

VIDEO DEPOSITION OF SEAN JOHNSON

DATE: December 15, 2023
TIME: 10:17 a.m.
LOCATION: Littler Mendelson, PC
815 Pennsylvania Avenue, NY
Suite 400
Washington, DC 20006

REPORTED BY: Constance H. Rhodes
Reporter, Notary

Veritext Legal Solutions
1250 Eye Street, Northwest
Washington, DC 20005

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1 A P P E A R A N C E S
2

3 On behalf of Claimant:

4 PAUL KENNEDY, ESQUIRE

5 LESLIE EHRET, ESQUIRE

CAMELLIA CAMPANIELLI

Littler Mendelson, P.C.

6 815 Connecticut Avenue, NW

Suite 400

7 Washington, DC 20006

Npkennedy@littler.com

8

9 On behalf of Respondent:

10 JESSIE FELDMAN, ESQUIRE

11 BREE MURPHY, ESQUIRE

Mitchell Sandler, LLC

12 1120 20th Street, NW

Suite 725

Washington, DC 20036

13 Jfeldman@mitchellsandler.com

14

15 ALSO PRESENT:

16 Meredith Grant, loanDepot

17 Jeffrey Elam, Videographer.

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22

1 him over the years?

2 A No.

3 Q And so how was it you came to be texting
4 with him on October 5, 2021?

5 A He's the CEO of Movement.

6 Q Right. So how is it you came to have a
7 text exchange with him on this day?

8 A That's when I said I started engaging
9 with Movement.

10 Q Okay. Did you reach out to him, or did
11 he reach out to you?

12 A Honestly, I don't recall. I think -- I
13 don't recall how it happened exactly.

14 Q Who was the first person at Movement you
15 -- you engaged with about potentially leaving
16 loanDepot?

17 A Mike.

18 Q Mike Brennan?

19 A Yeah.

20 Q And this text, is this around the time
21 of the first communication you had with him about
22 leaving loanDepot?

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1 A Well, it was the first communication I
2 had with him regarding a possible opportunity at
3 Movement, not necessarily about leaving loanDepot.

4 Q Okay. Can you explain what you mean?

5 A I was looking to see what companies
6 would be a good fit should I decide to leave
7 loanDepot.

8 Q Okay. And that's really my question.
9 Had you decided to leave loanDepot as of
10 October 5, 2021?

11 A I don't think you truly decide until
12 you've actually stopped working at the company.

13 Q Well, I guess my question is were you
14 open to exploring other opportunities in or around
15 October 5, 2021, as opposed to having it in your
16 mind that you were going to leave?

17 A I believe that's what I said.

18 Q Well, I'm confused. Which one was it?

19 A Okay. I was -- I was open to exploring
20 opportunities.

21 Q Okay. So maybe to say that differently,
22 so as of October 5, 2021, you didn't have it in

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1 your mind that you just had to leave loanDepot?

2 A No.

3 Q So -- and maybe to say that differently,
4 if -- if the opportunity at Movement hadn't been
5 attractive enough to you, you would have stayed at
6 loanDepot?

7 A It would be difficult to say.

8 Q Why is that?

9 A There's a lot of factors. So if an
10 opportunity didn't work, loanDepot would have been
11 a place I would have had to have stayed at least
12 temporarily to figure it out. But I didn't
13 really -- this is where it gets a little
14 complicated -- I didn't quit -- leave loanDepot; I
15 left Brian Covey.

16 Q Okay. And when -- when did you start
17 actively looking to leave -- leave loanDepot as a
18 result of Brian Covey?

19 A Around this time.

20 Q Okay. And -- so this text message talks
21 about a conversation with Mr. Brennan. Did -- did
22 you in fact talk to him on the phone around that

1 time?

2 A For a few minutes, yeah.

3 Q And do you recall what was discussed at
4 that point with Mr. Brennan?

5 A I just asked him what possible
6 opportunities might be available.

7 Q Do you remember what he said?

8 A Oh, he said he didn't know at the time,
9 and he would kind of think about it, and get me in
10 touch with the divisional, Chris Shelton, who ran
11 that area.

12 Q Okay. And so you did get in touch with
13 Chris Shelton eventually, right?

14 A I believe so, like, a week or so later.

15 (JOHNSON Exhibit Number 16 was marked
16 for identification.)

17 BY MR. KENNEDY:

18 Q Mr. Johnson, I've handled you what's
19 been marked as Exhibit 16 to your deposition,
20 which is another text exchange, SJ5413, October 7,
21 2021.

22 So this looks like it's an exchange

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1 between you and Mr. Brennan?

2 A Yes.

3 Q About catching up?

4 A Yes.

5 Q So was this a -- was this a call
6 subsequent to the one you had around October 5th?

7 A It would be after the call two days
8 earlier, yes.

9 Q Okay. So this was the second call then
10 you had with Mr. -- Mr. Brennan?

11 A Yes.

12 Q Do you recall what you discussed in that
13 call?

14 A I don't remember the details of the
15 conversation, but I believe this is when he said
16 he would introduce me more to Chris, and Chris
17 would be able to see if there was an opportunity
18 that would fit.

19 Q Okay.

20 (JOHNSON Exhibit Number 17 was marked
21 for identification.)

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1 BY MR. KENNEDY:

2 Q So it's -- it's your testimony then that
3 the -- the day after you spoke with Mr. Brennan
4 for the first time --

5 A Uh-huh.

6 Q -- about an opportunity at Movement that
7 the next day you had flight arrangements to go to
8 Charlotte to interview; is that right?

9 A Yes.

10 Q All right. And how long was that first
11 call with Mr. Brennan on the 5th?

12 A Probably 20, 30 minutes.

13 Q Okay. And you -- you testified earlier
14 that there was no opportunity that he had
15 available at that point?

16 MS. FELDMAN: Objection.

17 THE WITNESS: Didn't know of an
18 opportunity yet.

19 BY MR. KENNEDY:

20 Q Right. So in that 20-to-30-minute call,
21 Mr. Brennan didn't mention any specific
22 opportunity at Movement to you, correct?

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1 MS. FELDMAN: Objection.

2 THE WITNESS: I don't believe so, no.

3 BY MR. KENNEDY:

4 Q Okay. And the very next day then you
5 got flight arrangements to go to Charlotte?

6 A Correct.

7 Q Okay. And you did end up going to
8 Charlotte for the interview, correct?

9 A For an introduction, yes.

10 Q Okay. So was it an interview or an
11 introduction?

12 A Probably both.

13 Q Did anyone from loanDepot go with you?

14 A No.

15 (JOHNSON Exhibit Number 20 was marked
16 for identification.)

17 BY MR. KENNEDY:

18 Q Mr. Johnson, I've handed you what's been
19 marked as Exhibit 20 to your deposition. It
20 purports to be a text message, SJ3212 to 3213,
21 October 13th, 2021.

22 Do you recognize this text exchange?

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1 A Not really discussions about day-to-day
2 duties. It's -- the job's the job at every
3 company.

4 Q Okay. Well, did you have discussions
5 about the -- the -- that you were a producer at
6 loanDepot?

7 A They were aware.

8 Q Okay. Did you have discussions about
9 it?

10 A Yes. And as referenced in the previous
11 text, my personal production.

12 Q And who -- whom did you meet with when
13 you went to Movement?

14 A Chris Shelton. Casey Crawford.

15 Q Okay. Anyone else?

16 A I believe I met Mike again there.

17 Q Mike?

18 A Brennan.

19 Q Okay. Anyone else?

20 A Various, like, Jake Fehling. Just heads
21 of all the different departments.

22 Q When you say heads of all the various

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1 different departments, what -- what do you mean?

2 A So head of ops, Jason Stenger stopped in
3 for a minute.

4 Q Anyone else?

5 A I mean I ran into a lot of people, but
6 not like in-depth conversations or anything like
7 that.

8 Q When you say you ran into a lot of
9 people, were these people you already knew?

10 A Well, I worked there previously.

11 Q So there were people you already knew?

12 A Yes.

13 Q And did you get introduced to any new
14 people?

15 A Chris Shelton. That was the first time
16 I met him in person.

17 Q Had you met -- had you met Casey
18 Crawford before?

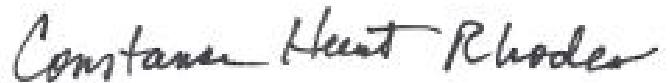
19 A That was the longest conversation I'd
20 had with him at the time. I'd met him in passing
21 when we were at different events.

22 Q Okay. He's the head of the company,

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1 CERTIFICATE OF NOTARY PUBLIC

2 I, CONSTANCE HUNT RHODES, the officer
3 before whom the foregoing deposition was taken, do
4 hereby certify that the witness whose testimony
5 appears in the foregoing deposition was duly sworn
6 by me; that the testimony of said witness was
7 taken by me in stenotypy and thereafter reduced to
8 typewriting under my direction; that said
9 deposition is a true record of the testimony given
10 by said witness; that I am neither counsel for,
11 related to, nor employed by any of the parties to
12 the action in which this deposition was taken; and
13 further, that I am not a relative or employee of
14 any attorney or counsel employed by the parties
15 thereto, nor financially or otherwise interested
16 in the outcome of the action.

17
18 

19 CONSTANCE HUNT RHODES

20 Notary Public in and for
21 the District of Columbia

22 My commission expires:

January 31, 2028